

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

YOUFIT HEALTH CLUBS, LLC, *et al.*,¹

Debtors.

Chapter 11

Case No. 20-12841 (MFW)

(Jointly Administered)

Related Docket No.: 576

**ORDER GRANTING JUANITA AGUILAR RELIEF FROM AUTOMATIC STAY TO
ALLOW CIVIL LITIGATION TO PROCEED TO THE EXTENT OF INSURANCE**

Upon the *Motion of Juanita Aguilar for Relief from Automatic Stay* [Docket No. 576] (the “**Motion**”) pursuant to section 362 of the Bankruptcy Code, 11 U.S.C. §§ 101 *et seq.* (the “**Bankruptcy Code**”) seeking relief from the automatic stay so that Juanita Aguilar (the “**Movant**”) may proceed with the litigation captioned *Juanita Aguilar v. YouFit Health Clubs, LLC*, Case No. 20-CA-001297 (Fla. Cir. Ct. filed Mar. 14, 2020) (the “**State Court Action**”); and the Court having jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334 and the *Amended Standing Order of Reference* from the United States District Court for the District of Delaware, dated as of February 29, 2012; and this matter being a core proceeding pursuant to 28 U.S.C. § 157(b); and this Court having jurisdiction to enter a final order consistent with Article III of the United States Constitution; and venue of these chapter 11 cases and the Motion in this district being proper pursuant to 28 U.S.C. §§ 1408 and 1409; and it appearing that proper and adequate notice of the Motion has been given and that no other or further notice is necessary; and this Court

¹ The last four digits of YouFit Health Clubs, LLC’s tax identification number are 6607. Due to the large number of debtor entities in these chapter 11 cases, a complete list of the debtor entities and the last four digits of their federal tax identification numbers is not provided herein. A complete list of such information may be obtained on the website of the claims and noticing agent at www.donlinrecano.com/yfhc. The mailing address for the debtor entities for purposes of these chapter 11 cases is: 1350 E. Newport Center Dr., Suite 110, Deerfield Beach, FL 33442.

having determined that there is good and sufficient cause for the relief set forth in this Order; and after due deliberation thereon,

IT IS HEREBY ORDERED THAT:

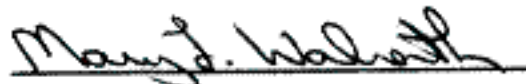
1. The automatic stay pursuant to section 362 of the Bankruptcy Code shall remain in effect as to the State Court Action until the earlier of (a) 14 days after the effective date of any confirmed chapter 11 plan filed by the Debtors or (b) 90 days after the date of entry of this Order (hereinafter referred to as the “**Stay Modification Date**”).

2. Subject to Paragraphs 3 and 4 below, the automatic stay under section 362 of the Bankruptcy Code is hereby modified as of the Stay Modification Date to (i) permit Movant to pursue the State Court Action to settlement or final judgment for all damages, attorneys’ fees and costs that may arise as a consequence of same; and (ii) apply proceeds of insurance to the extent that any such proceeds are available to pay any claim for damages including but not limited to attorneys’ fees and costs that may arise as a consequence of litigating or settling Movant’s claim.

3. The Movant’s recovery, if any, in the State Court Action shall be limited to the extent of insurance. To extent that the Movant’s claim is not covered by insurance, the Movant’s claim shall be an unsecured prepetition claim to the extent otherwise allowed by the Court. Nothing in this Order shall affect the right of any party to raise an objection to such claim.

4. The Court shall retain jurisdiction with respect to all matters arising from or related to the implementation or interpretation of this Order.

Dated: January 20th, 2021
Wilmington, Delaware



MARY F. WALRATH
UNITED STATES BANKRUPTCY JUDGE